SENATE BILL

No. 1145

Introduced by Senator Emmerson

February 21, 2012

An act to amend Sections 597b and 597c of the Penal Code, relating to animal fighting.

LEGISLATIVE COUNSEL'S DIGEST

SB 1145, as introduced, Emmerson. Animal fighting.

Existing law prohibits a person, for amusement or gain, from causing, permitting on his or her premises, or aiding and abetting in the fighting of specified animals. A violation of this prohibition is a misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year, or by a fine not to exceed $5,000, or by both.

This bill would raise the fine to $10,000.

Existing law makes it a misdemeanor to knowingly be present as a spectator at any place, building, or tenement for an exhibition of animal fighting or for preparations for that act. A violation of this prohibition is punishable by imprisonment in a county for a period not to exceed 6 months, or by a fine not to exceed $1,000, or by both.

This bill would raise the fine to $5,000.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1   SECTION 1. Section 597b of the Penal Code is amended to
2   read:
3   597b. (a) Except as provided in subdivisions (b) and (c), any
4   person who, for amusement or gain, causes any bull, bear, or other
5   animal, not including any dog, to fight with like kind of animal or

1   creature, or causes any animal, including any dog, to fight with a
2   different kind of animal or creature, or with any human being, or
3   who, for amusement or gain, worries or injures any bull, bear, dog,
4   or other animal, or causes any bull, bear, or other animal, not
5   including any dog, to worry or injure each other, or any person
6   who permits the same to be done on any premises under his or her
7   charge or control, or any person who aids or abets the fighting or
8   worrying of an animal or creature, is guilty of a misdemeanor
9   punishable by imprisonment in a county jail for a period not to
10   exceed one year, by a fine not to exceed ~~five thousand dollars~~
11   ~~($5,000)~~ *ten thousand dollars ($10,000)*, or by both that
12   imprisonment and fine.
13   (b) Any person who, for amusement or gain, causes any cock
14   to fight with another cock or with a different kind of animal or
15   creature or with any human being; or who, for amusement or gain,
16   worries or injures any cock, or causes any cock to worry or injure
17   another animal; and any person who permits the same to be done
18   on any premises under his or her charge or control, and any person
19   who aids or abets the fighting or worrying of any cock is guilty of
20   a misdemeanor punishable by imprisonment in a county jail for a
21   period not to exceed one year, or by a fine not to exceed ~~five~~
22   ~~thousand dollars ($5,000)~~ *ten thousand dollars ($10,000)*, or by
23   both that imprisonment and fine.
24   (c) A second or subsequent conviction of this section is a
25   misdemeanor or a felony punishable by imprisonment in a county
26   jail for a period not to exceed one year or the state prison for 16
27   months, two, or three years, by a fine not to exceed twenty-five
28   thousand dollars ($25,000), or by both that imprisonment and fine,
29   except in unusual circumstances in which the interests of justice
30   would be better served by the imposition of a lesser sentence.
31   (d) For the purposes of this section, aiding and abetting a
32   violation of this section shall consist of something more than
33   merely being present or a spectator at a place where a violation is
34   occurring.
35   SEC. 2. Section 597c of the Penal Code is amended to read:
36   597c. Any person who is knowingly present as a spectator at
37   any place, building, or tenement for an exhibition of animal
38   fighting, or who is knowingly present at that exhibition or is
39   knowingly present where preparations are being made for the acts
40   described in subdivision (a) or (b) of Section 597b, is guilty of a

1 misdemeanor *punishable by imprisonment in a county jail for a*
2 *period not to exceed six months, or by a fine of five thousand*
3 *dollars ($5,000), or by both that imprisonment and fine*.

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